

105 Rec'd PCT/PTO 05 MAY 1997

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5010 - V.W. Lee

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)			Docket No. 960160
Applicant(s): Gerhaeuser et al.			
Serial No. 08/676,355	Filing Date July 19, 1996	Examiner	Group Art Unit
Invention: Process of Finding the Receivability of Radio Signals in a Radio System			
<p>I hereby certify that this <u>Petition Pursuant to 37 CFR 1.181</u> <small>(Identify type of correspondence)</small> is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on <u>29 April 1997</u> <small>(Date)</small></p> <p style="text-align: center;"><u>Karl Hormann</u> <small>(Typed or Printed Name of Person Mailing Correspondence)</small>  <small>(Signature of Person Mailing Correspondence)</small></p>			
<p>Note: Each paper must have its own certificate of mailing.</p>			

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)**

Applicant(s): Gerhaeuser et al.

Docket No.

960160

Serial No.  
08/676,355Filing Date  
July 19, 1996

Examiner

Group Art Unit

Invention:

**Method of Determining the Receptivity of Wireless Signals in a Broadcast System**

I hereby certify that this Transmittal of Declaration, Verified Small Entity Statement, and Assignment  
*(Identify type of correspondence)*

is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The  
Commissioner of Patents and Trademarks, Washington, D.C. 20231-0001 on July 30, 1996  
*(Date)*

Karl Hormann*(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***Note: Each paper must have its own certificate of mailing.**

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Application No.: 08/767,355

Filed: July 19, 1996

International Application No.: PCT/DE95/00055

International Filing Date: January 16, 1995

86 Sparks Street  
Cambridge, MA 02138-2216

July 30, 1996

Hon.  
Assistant Commissioner for Patents  
Box PCT  
Washington, DC 20231

Submission of Missing Documents

Sir:

Enclosed herewith are:

- a) the duly executed Declaration and Power of Attorney;
- b) a Verified Statement regarding Applicant Fraunhofer's Small Entity Status;
- c) an Assignment including Cover Sheet and Appendix for Recording;
- d) a check for \$105.00 to cover the fees pursuant to 37 C.F.R. 1.16(e) and 1.21(h);
- e) a request for refunding excess national phase fee previously paid;
- f) a Certificate of Mailing pursuant to 37 C.F.R. 1.8; and
- g) a Post Card Receipt.

Respectfully submitted,

---

Karl Hormann  
Registration No.: 26,470

Area Code: 617-491-8867

fax 401 8877  
617

960160

The stamp of the Patent Office hereon may be taken  
as acknowledging the receipt, on the date stamped,  
of an executed Declaration and Power of Attorney,  
Assignment for recording, a Small Entity Statement,  
a check for \$105.00, and a request for excess filing  
fee refund of \$669.00

KARL HORMANN  
86 SPARKS STREET  
CAMBRIDGE, MA 02138

3429

53-60/113

30 July 19 96

\$ 105.00

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order of U.S. Patent & Trademark Office Dollars

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Massachusetts

Memo App.No.: 08/676,355

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960160

The stamp of the Patent Office hereon may be taken  
as acknowledging the receipt, on the date stamped,  
of an executed Declaration and Power of Attorney,  
Assignment for recording, a Small Entity Statement,  
a check for \$105.00, and a request for excess filing  
fee refund of \$669.00

Rec'd PCT/PTO 20 AUG 1996

Attorney Docket 960160

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Application No.: 08/767,355

Filed: July 19, 1996

International Application No.: PCT/DE95/00055

International Filing Date: January 16, 1995

86 Sparks Street  
Cambridge, MA 02138-2216

July 30, 1996

Hon.  
Assistant Commissioner for Patents  
Box PCT  
Washington, DC 20231

Request for Refund of Excessive Fee Paid

Sir:

When filing their request to commence the U.S. National Phase of the instant application, Applicants' Attorney inadvertently based his fee calculation on 37 C.F.R. 1.492(a)(3) ( $=\$1,010.00 + \$198.00$  (1.492(c))), overlooking that the application is entitled to 37 C.F.R. 1.492(a).

The correct fee would have been \$1,078.00 (1.492(a)(5) + 1.492(c)).

In view of the verified statement claiming small entity status of Fraunhofer, a refund to the undersigned Attorney of \$669.00 ( $\$1,010.00 - \$880.00 + \$880.00/2 + \$198.00/2$ ) is indicated and is courteously requested.

Respectfully submitted,

---

Karl Hormann  
Registration No.: 26,470

Area Code: 617-491-8867

08/676355



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER  
Box PCT  
Washington, D.C. 20591  
INTERNATIONAL TRADEMARKS

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
08/676.355	GESELLSCHAFT	F 960160
KARL HORMANN 86 SPARKS ST CAMBRIDGE, MA 02138-2216		INTERNATIONAL APPLICATION NO. PCT/DE95/00055
5611		I.A. FILING DATE 01/16/95 PRIORITY DATE 01/19/94
DATE MAILED: 09/04/96		

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as  a Designated Office (37 CFR 1.494),  an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee.
- Copy of the international application in:  a non-English language.  English.
- Translation of the international application into English.
- Oath or Declaration of inventors(s) for DO/EO/US.
- Copy of Article 19 amendments.
- Translation of Article 19 amendments into English.
- The International Preliminary Examination Report in English and its Annexes, if any.
- Translation of Annexes to the International Preliminary Examination Report into English *ENTERED*
- Preliminary amendment(s) filed *19511476* and \_\_\_\_\_
- Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_
- Assignment document.
- Power of Attorney and/or Change of Address.
- Substitute specification filed \_\_\_\_\_
- Verified Statement Claiming Small Entity Status.
- Priority Document
- Other:

RECEIVED

SEP 10 1996

LAW OFFICES  
OF KARL HORMANN

2. The following items MUST be furnished within the time period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- c. Oath or Declaration of the inventors, in compliance with 37 CFR 1.63, identifying the application by International application number and International filing date.
  - The current oath or declaration does not comply with 37 CFR 1.63 for the reasons indicated on the attached PTO-152.
- d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a) -2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY  21 or  31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note a processing fee will be required if submitted later than 30 months from the priority date.

5.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

***A copy of this notice MUST be returned with the response.***

Enclosed:  PTO-152  Notice of Defective Translation  
 PTO-875

Vonda M. Wallace  
Paralegal Specialist

Telephone: (703) 305-3736

FORM PCT/DO/EO/905 (May 1993):

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: PCT/DE95/00055

Filing Date: 7/19/96

For: Process for Finding the Receivability  
of Radio Signals in a Radio System

By: Fraunhofer-Gesellschaft et al.

86 Sparks Street  
Cambridge, MA 02138-2216  
17 September 1996

Hon.  
Assistant Commissioner for Patents  
Washington, DC 20231

**Response to Notice of Missing Requirements**  
**35 U.S.C. 371**

Sir:

In response to the Notice of Missing Requirements (copy enclosed) please note that the Declaration has been filed with the Patent and Trademark Office under cover the undersigned Attorney's letter dated July 30, 1996 (copy enclosed).

Respectfully submitted,

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Karl Hormann  
Registration No.: 26,470

KH:svl  
Enclosures

Certificate of Mailing - 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as FIRST CLASS MAIL today in an envelope with sufficient postage attached and addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

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Karl Hormann  
Date: September 17, 1996

Attorney Docket 960160

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Application No.: 08/767,355

Filed: July 19, 1996

International Application No.: PCT/DE95/00055

International Filing Date: January 16, 1995

86 Sparks Street  
Cambridge, MA 02138-2216  
December 4, 1996

Hon.  
Assistant Commissioner for Patents  
Washington, DC 20231

Request for Refund of Excessive Fee Paid

Sir:

When filing their request to commence the U.S. National Phase of the instant application, Applicants' Attorney inadvertently based his fee calculation on 37 C.F.R. 1.492(a)(3) ( $=\$1,010.00 + \$198.00$  (1.492(c))), overlooking that the application is entitled to 37 C.F.R. 1.492(a).

The basic fee should have been \$880.00, resulting in a total fee of \$1,078.00.

A refund check for \$604.00 was received on or about September 10, 1996, leaving a balance in Applicant's favor of \$65.00.

A refund for \$65.00 is hereby courteously requested.

Respectfully submitted,

---

Karl Hormann  
Registration No.: 26,470

KH:svl  
Area Code: 617-491-8867